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Date: October 12, 2005

To Examiner: Susan B. McCormick-Ewoldt
Group 1654

From: Darlene A. Vanstone
Registration No. 35,729

Fax Number: (571) 273-8300

Subject: Paper: Amendment & Information Disclosure Statement

Docket No.: 4010.3004 US1

Applicants: Bernadene Ann Magnuson, *et al.*

Serial No.: 10/795,967

Filing Date: March 8, 2004

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004,

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4815).

FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/795,967
Filing Date	March 8, 2004
First Named Inventor	Bernadene Ann Magnuson
Examiner Name	Susan B. McCormick Ewoldt
Art Unit	1654
Attorney Docket No.	4010.3004 US1

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METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number 502807 Deposit Account Name Elmore, Craig & Vanstone, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues) 50 25

Each independent claim over 3 (including Reissues) 200 100

Multiple dependent claims 360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
- 3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(\$)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement (\$180) & 1 Mo. Ext. (\$120)

Fees Paid (\$)

300

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 35,729	Telephone (978)251-3509
Name (Print/Type)	Daniene A. Vanstone		Date October 12, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 12 2005

Docket No: 4010.3004 USI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bernadene Ann Magnuson, Monica M. Giusti, Minnie Malik and Cuiwei Zhao

Application No: 10/795,967 Group No: 1654

Filed: March 8, 2004 Examiner: Susan B. McCormick-Ewoldt

Confirmation No.: 8630

Title: ANTHOCYANIN-RICH COMPOSITIONS AND METHODS FOR INHIBITING CANCER CELL GROWTH

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<i>Rachel Meehan</i> Signature	10/12/05 Date
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Typed or printed name of person signing certificate	

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is in response to the Office action mailed from the U.S. Patent and Trademark Office on June 13, 2005, in the above-identified application.

A Petition for Extension of Time for one month and the appropriate fees are being filed concurrently.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

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